

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PETER ALLEN, *et al.*

Plaintiffs,

-VS.-

CARL KOENIGSMANN, et al.

Defendants.

ORDER TO PRODUCE

19-cv-8173 (LAP)

ECF

**TO: Edward Burnett, Superintendent
Fishkill Correctional Facility
18 Strack Drive
Beacon, New York 12508-0307**

WHEREAS Eric Lindemann DIN# 21A0705 is a putative class member in the above-captioned matter;

WHEREAS Mr. Lindemann is currently in custody at Fishkill Correctional Facility in Beacon, New York; and

WHEREAS Mr. Lindemann's testimony is needed for a trial in the above-captioned matter; and

WHEREAS Fishkill Correctional Facility has already been ordered to reserve the video conferencing equipment for August 9, 2023; and

NOW THEREFORE, IT IS ORDERED that the SUPERINTENDENT OF FISHKILL CORRECTIONAL FACILITY produce Eric Lindemann on August 9, 2023 at 9:00am until his testimony is complete and/or the day's proceedings have ended; and

IT IS FURTHER ORDERED that Mr. Lindemann must be allowed to participate in the video proceeding in a privileged and confidential manner; DOCCS personnel must allow him to bring any legal papers Mr. Lindemann has been sent by his counsel and he shall be allowed to testify without the presence of any third parties in the room, unless bona fide safety and security issues necessitate the presence of a member of DOCCS' personnel.

Dated: July 24, 2023

So ordered: _____


LORETTA A. PRESKA, U.S.D.J.